

REMARKS

Claims 1-6 and 8-11 remain pending in this application with claims 1, 4, 5, 9, and 11 being amended and claims 7 and 12-15 being cancelled. Claims 1, 4, 9, and 11 have been amended to remove typographical errors. It is respectfully submitted that no new matter is added by these amendments.

Rejection of Claims 1, 2, 4-6 and 9-11 under 35 USC § 103(a)

Claims 1, 2, 4-6 and 9-11 have been rejected under 35 USC § 103(a) as being unpatentable over Knee (U.S. Patent No. 5,589,892) in view of Knudson (U.S. Patent No. 6,536,041).

The present claimed invention provides a process for processing service information using a receiver. The receiver receives an event and a plurality of partial dynamic summaries of the event, the content of the partial dynamic summary being dependent on the content of the event occurring since the transmission of the previous partial dynamic summary up to the instant of transmission of the current partial dynamic summary. The receiver also receives a time indication tied with each partial dynamic summary. The partial dynamic summaries successively received are concatenated, an upgradeable summary of the event being the result of the concatenating of the partial dynamic summaries. The upgradeable summary is stored in a memory of the receiver. The receiver displays the upgradeable summary in a window of a screen and the time indication tied with the last partial dynamic summary incorporated in the upgradeable summary. Independent claims 1, 4 and 9 each contain features similar to those discussed above, and thus, all remarks presented herein apply to each of these claims. Independent claim 1 further comprises a transmitter for transmitting the event, transmitting the plurality of partial dynamic summaries relating to disjoint times of the event, and transmitting the time indication tied with each partial dynamic summary.

Knee and Knudson neither disclose nor suggest receiving “a time indication tied with each partial dynamic summary” as recited in the present claimed invention. Knee and Knudson also neither disclose nor suggest displaying “the time indication tied with the last partial dynamic summary incorporated in the upgradeable summary” as recited in the present claimed invention.

Knee describes an electronic program schedule system with access to both stored television program schedule information and data feeds containing status information for live programs such as sporting events (Abstract). Accordingly, the system can display the current score and inning of a baseball game. In this manner, users may not only browse through program listings but also the scores of games in progress (Col. 40).

The Office Action admits that “Knee fails to disclose concatenating successive versions of summaries” on page 6. Furthermore, Knee neither discloses nor suggests receiving “a time indication tied with each upgradeable partial dynamic summary” as recited in the present claimed invention. The Office Action asserts “the scores being shown by inning with the inning being a time indication” is equivalent to “a time indication tied with each partial dynamic summary” on page 5. The applicant respectfully disagrees. Knee merely discloses, using a baseball sporting event example, receiving the scores of the sporting event shown by inning. The inning in the sporting event is not tied to an actual time nor is it a fixed length of time. Rather, the inning is a reference to a period within the sporting event itself. The length of an inning varies and does not give an indication as to the actual time of an update for a partial dynamic summary. Knee is otherwise silent in regards to receiving a time of update for each partial dynamic summary. In contrast, the present claimed invention receives a time indication that is in reference to “the time at which the information was updated” (page 12, lines 1-2). Therefore, Knee does not disclose or suggest receiving “a time indication tied with each upgradeable partial dynamic summary” as recited the present claimed invention.

Knee also neither discloses nor suggests displaying “the time indication tied with the last partial dynamic summary incorporated in the upgradeable summary” as recited in the present claimed invention. The Office Action also asserts that displaying “the scores by inning, with the inning being a time indication” is equivalent to displaying “the time indication tied with each partial dynamic summary” on page 6. The applicant respectfully disagrees. Knee merely discloses, using a baseball sporting event example, displaying the scores of the sporting event shown by inning. The inning in the sporting event is not tied to an actual time nor is it a fixed length of time. Rather, the inning is in reference to a period within the sporting event itself. The length of the inning varies and does not give an indication as to the actual time of an update for a partial dynamic summary. Knee is otherwise silent in regards to displaying a time of update for each partial dynamic summary. In contrast, the present claimed invention discloses displaying “the time of the latest update at the current time” (page 15, lines 34-36, page 16, lines 1-2). Therefore, Knee does not disclose or suggest displaying “a time indication tied with each upgradeable partial dynamic summary” as recited in the present claimed invention.

Knudson describes a program guide system that receives program listings data and real-time data such as sports scores, news data and the like (Abstract). The different types of real-time data are useful for different periods of time. To avoid clutter in the database, the program guide purges the database to remove outdated data. Thus, a different expiration time is assigned to each real-time data item and the program guide removes the data from the database after it expires (Col, 17, lines 25-40).

Knudson, similarly to Knee, neither discloses nor suggests receiving “a time indication tied with each upgradeable partial dynamic summary” as recited in the present claimed invention. Knudson is silent regarding receiving a time indication. Therefore, Knudson, similarly to Knee, does not disclose or suggest receiving “a time indication tied with each upgradeable partial dynamic summary” as recited in the present claimed invention.

Knudson with Knee also neither discloses nor suggests displaying “the time indication tied with the last partial dynamic summary incorporated in the upgradeable summary” as recited in the present claimed invention. Knudson is silent regarding displaying a time indication tied with the last partial dynamic summary. Therefore, Knudson does not disclose or suggest displaying “the time indication tied with the last partial dynamic summary incorporated in the upgradeable summary” as claimed in the present claimed invention.

Additionally, the combination of Knee and Knudson, similar to the individual systems, neither disclose nor suggest receiving “a time indication tied with each upgradeable partial dynamic summary” or displaying “the time indication tied with the last partial dynamic summary incorporated in the upgradeable summary” as recited in of the present claimed invention. The combined system is silent in regards to receiving or displaying a time of update for each partial dynamic summary. Therefore, Knee and Knudson, when taken alone or in combination, does not disclose or suggest receiving “a time indication tied with each partial dynamic summary” or displaying “the time indication tied with the last partial dynamic summary incorporated in the upgradeable summary” as recited in the present claimed invention.

Additionally, Claim 1 is further considered patentable as Knee and Knudson, alone or in combination, neither disclose nor suggest “transmitting a time indication tied with each partial dynamic summary” as recited in claim 1 of the present claimed invention. The Office Action asserts “the scores being shown by inning with the inning being a time indication” is equivalent to the claimed “time indication tied with each partial dynamic summary” described in Knee. The applicant respectfully disagrees. The inning in a sporting event is not tied to an actual time nor is it a fixed length of time either. Rather, the inning is in reference to a period within the sporting event itself. The length of the inning varies and does not give an indication as to the actual time of an update for a partial dynamic summary. Knee is silent in regards to transmitting a time of update for each partial dynamic summary. In contrast, the present claimed invention discloses transmitting a time indication that is in reference to “the time at which the information was updated” (page 12, lines 1-2). Therefore, Knee does not disclose or

suggest “transmitting a time indication tied with each partial dynamic summary” as recited in claim 1 of the present claimed invention.

Furthermore, the combination of Knee and Knudson, similar to the individual systems, neither disclose nor suggest “transmitting a time indication tied with each partial dynamic summary” as recited in claim 1 of the present claimed invention. Knee and Knudson, when taken alone or in combination, are silent in regards to transmitting a time of update for each partial dynamic summary. Therefore, Knee and Knudson, when taken alone or in combination, does not disclose nor suggest “transmitting a time indication tied with each partial dynamic summary” as recited in claim 1 of the present claimed invention.

In view of the above remarks to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure contained within Knee and Knudson, when taken alone or in combination, which make the present claimed invention unpatentable. Independent claims 1, 4, and 9 disclose similar features to those discussed above and thus the arguments presented above apply to each of these claims. As Claims 2, 5, 6, 10 and 11 are dependent on claims 1, 4 and 9, respectively, it is respectfully submitted they are allowable for the same reasons discussed above regarding independent claims 1, 4 and 9. Thus, it is further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 3 and 8 under 35 USC § 103(a)

Claims 3 and 8 have been rejected under 35 USC § 103(a) as being unpatentable over Knee (U.S. Patent No. 5,589,892) in view of Knudson (U.S. Patent No. 6,536,041) and further in view of Machida (U.S. Patent No. 6,035,304).

Machida, similarly to Knee and Knudson, neither discloses nor suggests that “partial dynamic summaries are transmitted in a digital stream which includes a specific identifier” as recited in claims 3 of the present claimed invention. Machida, similarly to Knee and Knudson, also neither disclose nor suggest receiving “a time

indication tied with each partial dynamic summary” as recited in the present claimed invention. Additionally, Machida, similarly to Knee and Knudson, neither disclose nor suggest displaying “the time indication tied with the last partial dynamic summary incorporated in the upgradeable summary” as recited in the present claimed invention.

Machida describes a system that stores application packages and reproduces a desired package at any time. Each package contains a plurality of applications. Each application comprises application data and service adding information (“SAI”). SAIs are transmitted by packets in a data stream. Each SAI typically consist of various attributes. The system will calculate the “freshness” of the SAI packet for updating purposes based on an updated time and date in a VERSION attribute or from a next broadcast time and date in a REBROADCAST attribute.

Machida neither discloses nor suggests that “partial dynamic summaries are transmitted in a digital stream which includes a specific identifier” as recited in claims 3 and 8 of the present claimed invention. The Office Action asserts on page 8 that Machida “discloses an EPG system in which the EPG data has time and data information as well as a version attribute 130, a STB utilizes this information to determine how ‘fresh’ the data is.” The applicant respectfully disagrees. Machida merely discloses that that “freshness” is calculated using time and date. Machida does not utilize a version number for updating purposes. In contrast, the present claimed invention utilizes the version number independent of time and date for updating purposes. Therefore, Machida, similarly to Knee and Knudson, neither discloses nor suggests that “partial dynamic summaries are transmitted in a digital stream which includes a specific identifier” as recited in claims 3 and 8 of the present claimed invention.

Additionally, the combination of Knee, Knudson, and Machida, similar to the individual systems, neither discloses nor suggests that “partial dynamic summaries are transmitted in a digital stream which includes a specific identifier” as recited in claims 3 and 8 of the present claimed invention. Machida merely utilizes a date and time in determining “freshness” for updating purposes. In contrast, the present claimed

invention utilizes a version number independent of time and date for updating purposes.

Therefore, Knee and Knudson, in further view of Machida, when taken alone or in combination, neither discloses nor suggests that "partial dynamic summaries are transmitted in a digital stream which includes a specific identifier" as recited in claims 3 and 8 of the present claimed invention.

In view of the above remarks to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure contained within Knee, Knudson and Machida, which make the present invention as claimed in claims 3 and 8 unpatentable. As Claims 3 and 8 are dependent on claims 1 and 4, respectively, it is respectfully submitted they are also allowable for the same reasons discussed above regarding independent claims 1 and 4. Thus, it is further respectfully submitted that this rejection is satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Application No. 09/706,684

Attorney Docket No. PF990072

No additional fee is believed due. However, if an additional fee is due, please charge the additional fee to Deposit Account 50-2828.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: June 11, 2007

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